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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA
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11 JOSE ALFREDO SOTO,
12 Petitioner,

No. CIV-S-04-2122 MCE/PAN P

13 v.

ORDER

14 D. ADAMS,

15 Respondent.
16 _____/

17 Petitioner, a state prisoner proceeding pro se, has filed an
18 application for a writ of habeas corpus pursuant to 28 U.S.C.
19 § 2254. The matter was referred to a United States Magistrate
20 Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local General
21 Order No. 262.

22 On April 13, 2005, the magistrate judge filed findings and
23 recommendations herein which were served on all parties and which
24 contained notice to all parties that any objections to the
25 findings and recommendations were to be filed within twenty days.

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1 Neither party has filed objections to the findings and
2 recommendations.


3 The court has reviewed the file and finds the findings and
4 recommendations to be supported by the record and by the
5 magistrate judge's analysis. Accordingly, IT IS HEREBY ORDERED
6 that:

7 1. The findings and recommendations filed April 13, 2005,
8 are adopted in full;

9 2. Respondent's December 16, 2004, motion is denied;

10 3. Petitioner is permitted 60 days to file an amended
11 petition containing only his exhausted claims and a motion to
12 stay this action and hold it in abeyance while he exhausts his
13 other claims.

14 DATE: June 2, 2005

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18 MORRISON C. ENGLAND, JR.
19 UNITED STATES DISTRICT JUDGE
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